

**CITY OF ROCKVILLE PLANNING DIVISION
STAFF REPORT**

February 28, 2002

SUBJECT:

Exploratory Application for Planned
Residential Unit
PRU2001-00020

Applicant: Wycliffe L.C. (Elm Street
Development Corp.)
6820 Elm Street, # 200
McLean, VA, 22101

Owner: same

Date Filed: December 12, 2001

Location: 520, 522 and 512 West
Montgomery Avenue,
adjacent to The Washington
Waldorf School Property
(Chestnut Lodge).



Proposed Location

Contents of the Report

This Staff Report is based on the Applicant's current submittal (the Plan), which is also referenced as "Exhibit A and B", and "Attachment 2." Exhibit A and B are not attached to this report, while Attachment 2 is. The outline of the report will be as follows:

- I. Introduction
- II. Background
- III. Applicant's Request
- IV. Staff Recommendation
- V. Planning
- VI. Environment, Forest Conservation and Parks
- VII. Department of Public Works
- VIII. Traffic & Transportation
- IX. Public Notification and Comments

SECTION I: INTRODUCTION

This report contains staff recommendations on the above referenced application. Also included are items staff has addressed such as environmental considerations, required findings and compliance with the Master Plan.

The proposed application, with recommended modifications, implements the recommendations of the 1989 West End-Woodley Gardens Master Plan to develop the site at “a density of the surrounding neighborhood, and that the wooded character of the site be preserved through careful site planning.” The proposed plan protects a large contiguous stand of healthy, mature trees within a public park adjacent to the Roxboro neighborhood. The park adds public open space that benefits both the Roxboro neighborhood and the proposed development, while functioning as a buffer between the majority of the proposed and existing homes. This parkland buffer will also provide the highest level of protection for the on-site trees. These trees have been identified as a significant natural resource for the City, worthy of such protection measures.

The proposed application uses a modified road design that provides for an improved stormwater management system that will utilize bioretention facilities. In addition, the design will result in a comparable amount of on-street parking as a cul-de-sac, with a streetscape that is uninterrupted by driveways and garages.

Since its submittal, the plan has undergone a variety of revisions to address concerns raised by Staff, the West End Citizen’s Association (WECA) and individual residents. The Original Plan of December 12, 2001 contained 18 homes with smaller setbacks than currently proposed, a \pm .50-acre HOA open space parcel to protect trees, a private road and garage access via private alleys, one of which connected to West Montgomery Avenue. In response to initial concerns raised by Staff, a more environmentally sensitive road and SWM plan were added to the plan, as well as replacing the HOA tree save area with a public park.

After further Staff review and public comment, the new road section was amended to provide more parking, the public park was expanded by approximately a quarter acre to .78 acres, some rear yard setbacks were amended to accommodate additional off-street parking in front of some of the garages, side yard setbacks were amended from four feet to six feet, and one lot was removed from the plan (for a proposed total of 17). Subject to additional modifications and conditions detailed within this report, staff recommends approval of the application as being consistent with the approved and adopted Master Plan, the Planning Commission approved Draft City-Wide Master Plan, State of Maryland smart growth principles, and relevant provisions of the Zoning Ordinance.

Planning Context

The Applicant has applied for a Planned Residential Unit (PRU) special development procedure for the subject property. The Zoning Ordinance contains a number of special development procedures that are intended to provide a flexible approach to the development of property within certain zones. Such flexibility encourages designs of residential development that maintain the same densities as adjacent neighborhoods, while preserving open spaces or natural features. Consistent densities are

attained by the use of flexible development standards, such as lot coverage and setbacks. Other special development procedures also include the Residential Townhouse, Variable Lot Size and Cluster Development.

Review of the PRU application occurs in two stages. The first phase is the Exploratory Phase which sets key parameters for the development, such as maximum densities, general street layout, development standards (setback, height, etc), basic design characteristics, and the location of open space preservation areas. The Planning Commission forwards a recommendation to the Mayor and Council, who review and ultimately approve or deny the Exploratory Application. Upon approval, the applicant must apply for the second phase of a PRU review which is the Detailed Stage.

The Detailed stage occurs by the Applicant applying for a Detailed Application, which is reviewed and ultimately approved or denied by the Planning Commission. The Detailed Application includes more comprehensive and detailed information about the project. Some of these items would include a comprehensive landscaping plan, open space amenities, final street designs and layout, final locations and designs of stormwater management facilities, utility plans, specific site grading, architectural design guidelines and legal documents for the conveyance and maintenance of public and private open space.

The existing buildings on the Buckingham property were reviewed by the Historic District Commission (HDC) in 1998 since they were over 50 years old. The HDC did not recommend designation of the building as a historic district. They did, however, recommend preservation of trees along West Montgomery Avenue in addition to the trees on the interior of the site.

The retention of the existing trees along West Montgomery Avenue is not recommended due to the need to construct a road to access the property, provide safe site distance, and the need to provide for a public utility easement. These practical considerations limit the number of the existing trees along West Montgomery Avenue that could be retained, regardless of the setbacks for the proposed houses. Staff found that the trees located on the site of the proposed public park are healthier, older, and more substantial.

Purpose and Intent of the Planned Residential Unit (PRU)

As previously stated, the PRU is one of a number of special development procedures available within certain zones of the City. As stated in Section 25-486 of the Ordinance, “ingenuity, imagination and design efforts on the part of architects, site planners and developers can produce developments which are in keeping with the overall land use intensity and open space objectives of this chapter while departing from strict application of use, setback, height and minimum lot size requirements of this chapter.”

The intent of special development procedures, as outlined within the Ordinance includes:

- Promote a creative approach to the development of land.
- Accomplish a more desirable environment than would be possible through strict application of the requirements of this chapter.
- Promote the efficient use of land which will result in smaller networks of utilities and streets and resultant lower housing costs.

- Enhance the appearance and value of neighborhoods through the preservation of natural features. And the provision of recreation areas and open space in addition to existing zoning, subdivision and Plan requirements.
- Provide a cohesive neighborhood environment for development compatible with existing neighborhood patterns.

Findings Required for Approval

Section 25-563 of the Zoning Ordinance lists the required findings for approval of a Planned Residential Unit Exploratory Application. These findings are listed below and a summary of how the application addresses these findings follow. In addition, the staff analysis and commentary in the remainder of the staff report provide more detailed information on how the application complies with the requirements of the PRU process.

(1) That the proposed development will not affect adversely the health or safety of persons who will reside or work in the neighborhood or the proposed development. The application proposes a development of a single-family residential neighborhood at a comparable density to the surrounding neighborhood while providing superior environmental protection and public open space does not adversely affect public health or safety.

(2) That the proposed development will not be detrimental to the public welfare or injurious to property or improvements located or to be located in or adjacent to the development. The proposed development provides increased publicly-protected buffer from the adjoining residences than can be achieved under standard development processes. In addition, the drainage system for the proposed development corrects existing drainage problems for an adjoining lot in the Roxboro subdivision.

The reduced setbacks are consistent with smart growth practices and are comparable to other PRUs and Comprehensive Planned Developments. These reduced setbacks, while not preferred by some homebuyers, are based on traditional development patterns and instead of being detrimental to the public welfare have proven to foster a positive community identity when coupled with public open space and good design. While the proposed setbacks are smaller than the surrounding neighborhood, the distances between proposed homes and existing homes are greater than the distances between the houses internal to the Roxboro neighborhood. This increased distance serves to mitigate the likely differences between the larger size of the proposed homes and the Roxboro neighborhood. The typical new U.S. house has become larger over the last 50 years, particularly in the last 20 years. The Typical new house in Rockville is substantially larger than those located in Roxboro. This is due to the increased demands by buyers for larger homes and the increased affluence of Rockville neighborhoods. This is reflected in recent dramatic increases in the value of homes in the West End and Roxboro. Although not just a recent trend, there are many homes in the Roxboro and the West End where substantial additions have been made. The development standards of the R-60 zone allow for similar sized homes to be built on many lots in Roxboro.

(3) That the proposed development will not be contrary to the requirements contained in Division 5 [Open Space and Common Areas] of this Article. The application proposes to dedicate a 0.78 acre public park that retains a significant stand of mature trees in a location that serves the proposed neighborhood and Roxboro. The park serves the multiple purposes of passive parkland, forest retention area, buffer between the existing and proposed neighborhoods, and as a key focal point for proposed homes to be oriented around. Additional common areas that will be owned by the

Homeowners Association (HOA) will serve as buffers, alleys, and bioretention areas for stormwater management.

(4)That the proposed development will not be inconsistent with the intent or purpose of the Zoning Ordinance. The intent of the PRU process is to promote a creative approach to development, accomplish a more desirable environment than standard development processes, preserves natural features, provides more open space than standard requirements, and is compatible with existing neighborhoods. The application proposes the use of an environmentally sensitive road design that accommodates bioretention areas and the provision of a 0.78-acre public park meet or exceed the intent of the ordinance. Under standard development processes, no public parkland would be created and many more significant trees would be removed. While individual houses could be carefully sited, staff finds that the areas where homes would be built under traditional development processes would require removal of many significant trees and would have indirect, yet serious, impacts on other nearby trees.

(5)That the proposed development will not overburden public services including water, sanitary sewer, public roads, storm drainage, and other public improvements... The proposed development may be adequately served by City water and sewer service. The public road serving the site, West Montgomery Avenue is congested but there is no appreciable difference in the minimal number of vehicle trips generated by the PRU and a standard development at the density recommended in the master plan. The City has an established policy of not expanding West Montgomery Avenue to accommodate additional vehicular traffic.

Both on-site and off-site storm drainage will be improved as a result of this project. The use of bioretention areas meets state and City goals for stormwater management. The use of underground storage under the alleys also provides for appropriate stormwater management. Off-site storm drainage is improved by removing the drainageway through Lot 16 at 528 Brent Road.

SECTION II. BACKGROUND

Property Description

The subject of this application is a 5.35-acre tract of land composed of three properties located on West Montgomery Avenue, directly between a portion of the former Chestnut Lodge site, and six lots of the Roxboro neighborhood. The Washington Waldorf School currently owns the Chestnut Lodge site. The portion of the Chestnut Lodge site adjacent to this application is a wooded area that is part of the West Montgomery Avenue Historic District. In addition, one of the proposed lots that is part of this application is adjacent to Lot 7, Block H of the Rose Hill subdivision. The entire subject tract with this application is zoned R-S, Suburban Residential.

The largest of the three properties that make up this application is approximately four acres, and is the closest property to West Montgomery Avenue. The other two properties to the rear of the tract make up the balance of the site. Of these two parcels, the parcel farthest to the west is approximately 28,488 square feet and the property to the east is approximately 25,657 square feet.

The subject tract is relatively flat, with a low area directly adjacent to western property boundary, adjacent to Lot 16 of the Roxboro neighborhood. There is another low area that runs parallel to West Montgomery Avenue that drains the Chestnut Lodge site. There is also a large stand of significant trees in the general vicinity of the middle of the property, adjacent to the western boundary of the property.

History

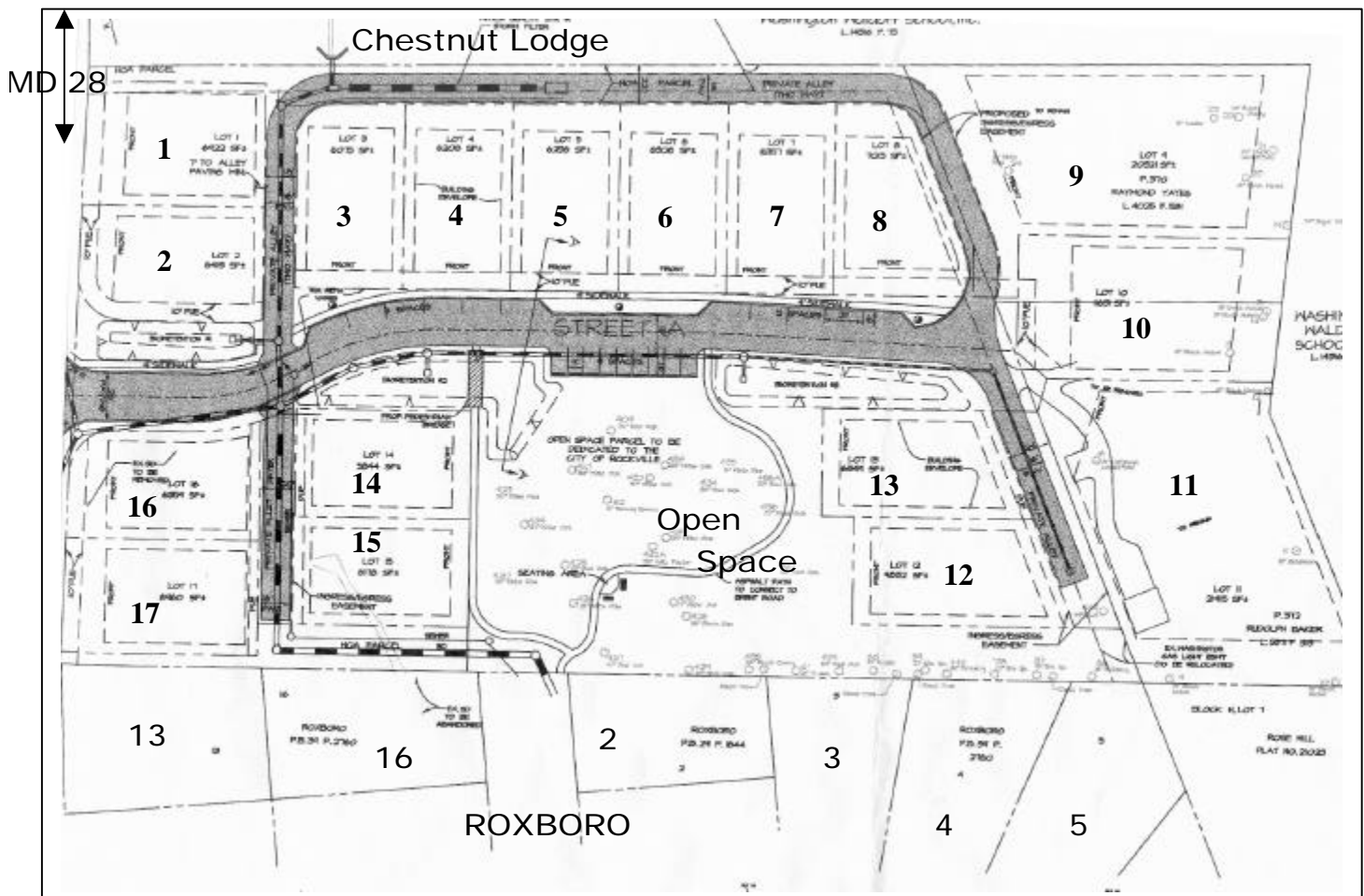
The tract that is the subject of this application has been referred to as "The Buckingham property." That is because for many years Dr. Buckingham, a prominent veterinarian, occupied the property. A sign on the property near the West Montgomery Avenue driveway says "Thirty Oaks," which was a direct reference to some of the significant trees on the property.

The two properties to the rear are referred to as the Baker and Yates properties. The owners of these two properties will continue to occupy the existing homes, although both properties are proposed to be subdivided as part of this application.

SECTION III. APPLICANT'S REQUEST

Proposal

The Applicant is proposing to utilize the Planned Residential Unit special development procedure to create a 17-unit subdivision on the subject tract. Since the tract currently contains three homes, the net increase is 14 homes. The existing Baker and Yates homes will remain. The Buckingham home will be demolished and 15 new single-family detached houses will be constructed. Most of the houses will be centered around a $\pm .78$ acre proposed public park that will be dedicated to the City of Rockville in order to preserve a significant stand of specimen trees. It is worthy of note that the Applicant originally requested 16 new houses, but removed one lot in order to protect a larger stand of trees.



narrower than a typical residential street to improve environmental protection. To provide parking that is a typical of a cul-de-sac, the road design was modified and now contains 20 on-street parking spaces (nine perpendicular parking spaces and 11 parallel parking spaces). The specifics of the narrower road configuration will be referenced later within this report.

Alley 1, as shown on Exhibit A, will be a 16-foot wide two-way private alley that will provide rear-loaded garage access to nine of the properties on this site. The Homeowner's Association (HOA) will maintain this alley. Of the ten houses served by this alley, seven new houses will front on Street Two new houses served by Alley 1 will front on West Montgomery Avenue. Alley 1 will also serve the existing Yates property, which will have frontage on Street A. New Lot 10 will have Alley 1 pass in front of it, but will have access from a different private driveway. This alley will run parallel to the extreme eastern edge of the site. There will be a five-foot wide HOA parcel adjacent to the alley and the property boundary that will provide landscaping and decorative fencing.

Alley 2 on Exhibit A will serve two new homes. It will also be a private alley maintained by the HOA. The two lots served by this alley will front on the previously referenced open space parcel. The existing Baker property will be served by a driveway that will connect to Street A. Lot 10 will have driveway access from here as well.

Alley 3, as shown on Exhibit A, will serve four new houses. Two of these houses will front on West Montgomery Avenue, and two will front on the proposed park.

As previously mentioned, Street A is slightly narrower than a typical residential street, and has modest curves associated with it. As part of the creative site design that is part of the PRU, the Applicant has narrowed the road and provided three environmentally significant bio-retention areas. These areas will be maintained by the HOA, and are located adjacent to Lot 2, Lot 14 and Lot 13. The curbing on the west side of Street A will allow stormwater runoff to the bio-retention areas through openings in the curb. Although the street will be public, the previously referenced perpendicular parking spaces on Street A will be maintained by the HOA. A four-foot sidewalk will be located on the east side of Street A only, and will be discussed later in this report.

The Applicant is providing a \pm .78-acre open space parcel. This parcel will be directly adjacent to four of the six adjacent Roxboro lots, and will be dedicated to the City of Rockville as a park. The remaining two Roxboro lots will be adjacent to an HOA parcel. There will be a five-foot wide raised asphalt path through the park that will connect to Brent Road of the Roxboro neighborhood. Brent Road ends at this future City park property, and there are no plans, now or in the future, to extend Brent Road into the subdivision or West Montgomery Avenue.

Development Standards

As permitted in the Zoning Ordinance under the regulations relating to the Planned Residential Unit developments, development standards may be waived as part of the approval process. The Applicant has proposed the following development standards:

Lot Number	Min. Front Setback		Min Side Setback	Min Rear Setback
	To House	To Porch		
1	23'	N/A	6'	7' from alley paving
2	28'	20'		7' from alley paving
3	15'	10'	6'	7' from alley paving
4	15'	10'	6'	7' from alley paving
5	15'	10'	6'	7' from alley paving
6	15'	10'	6'	18' from alley paving
7	15'	10'	6'	18' from alley paving
8	15'	N/A	6'	18' from alley paving
9 (Yates)	38'	30'	6'	25'
10	38'	30'	6'	25'
11 (Baker)	38'	30'	6'	25'
12	15'	10'	6'	18' from alley paving
13	15'	10'	6'	18' from alley paving
14	15'	10'	6'	7' from alley paving
15	15'	10'	6'	7' from alley paving
16	30' (W. Mont. Ave) 6' (Street A)	22'	6'	7' from alley paving
17	29'	21'	6'	7' from alley paving

For comparison purposes, the attached chart indicates the development standards for single family detached houses approved Planned Residential Unit developments and Comprehensive Planned Developments (CPD) (Attachment 4). The Development Standards for other residential zones are included for reference (Attachment 5).

The Applicant has created these development standards as provided for in the PRU section of the Ordinance to provide publicly accessible open space and on-site stormwater treatment. In order to provide these public benefits, the Applicant proposed reduced setbacks and four fewer houses than the 21 possible under the PRU process.

SECTION IV. STAFF RECOMMENDATION

General

The subject of this request is a Planned Residential Unit Exploratory Application. As such, staff review focuses on the concept of the development proposal. Staff finds that the concept of the proposed development is consistent with the adopted Master Plan and the long-range residential goals of the City. A variety of objectives are met through this application. First, the protection and conservation of the significant specimen trees on the .78 acres of land that will be under City ownership. The Master Plan has consistently emphasized the importance of protecting these trees. This plan accomplishes this goal without undo encumbrances on private property that are difficult to manage. Second, provision of the three bio-retention areas represents a significant environmental benefit consistent with Maryland Department of the Environment (MDE) and City of Rockville goals and objectives of stormwater management. Third, the development will provide, through the PRU process, the ability of Staff and the Planning Commission to actively participate in architectural and site design. Such participation will ensure that the character of adjacent neighborhoods and West Montgomery Avenue are respected.

With respect to impacts on the Roxboro neighborhood, it should be noted that only the sides of three homes will be adjacent to Roxboro. While internal setbacks are smaller than the Roxboro neighborhood, the proposed homes will have greater setbacks from homes in Roxboro than Roxboro homes have from each other. There will be approximately a 48-foot separation between the existing structure on Lot 13 in Roxboro (530 West Montgomery Avenue) and the Building Restriction Line (BRL) of Lot 17 of the new development). The property line of 530 West Montgomery Avenue will be 14 feet from the BRL of proposed Lot 17. There will be a building separation of 40 feet between Lot 16 of Roxboro (528 Brent Road) and Lot 15 of the proposal. The BRL of Lot 15 is 30 feet from the property line of 528 Brent Road. The BRL of Lot 12 of the proposal will be 95 feet from the home on Lot 4 of Roxboro (104 Calvert Road), and the BRL will be 36 feet from the property line of Lot 4 (see attachment 6).

It should be noted that no private lots on the new development will abut the Roxboro neighborhood. Of the common boundary, \pm 370 linear feet of the proposal will be City parkland and \pm 220 feet will be HOA property. It is Staff's opinion that this configuration affords the most reasonable protection and separation of the neighborhoods. A typical suburban development could potentially place a significant number of private rear or side yards adjacent to Roxboro. This could result in homes as close as 8' to the common property line if developed in the R-60 zone and accompanying detached accessory buildings could be constructed three feet from the property line.

Based on the above and the analyses in Sections V through VIII, Staff recommends approval of PRU2001-00020. Approval is based on a variety of conditions that are as follows:

1. Submission, for approval by the Chief of Planning, of eleven (11) copies of the site plan, revised according to Planning Commission Exhibit A, to show the following:
 - a. The development standards be modified as follows:

1. Minimum Rear Yard Setbacks:
 - a. 7 feet to the edge of alley paving for garage (attached or detached).
 - b. 18 feet to structure of house,
 - c. Lots 6, 7, 8, 12 and 13 only: 18 feet to the edge of alley paving for house and garage. This provision applies to attached or detached garages.
 2. Maximum Height: 35 feet as defined within Chapter 25 of the Zoning Ordinance.
 3. All HVAC (Air Conditioning) mechanical equipment shall be located in the rear yard.
- b. The Applicant will provide, for approval at the Detailed Application Phase, a fence along the entire eastern edge of the property along the HOA parcel, stopping at the beginning of Lot 9, to mitigate visual impact of the westbound direction of West Montgomery Avenue. This fence shall be a 60-inch tall extruded aluminum picket, or other similar design, with decorative corner posts, bricks and piers, or other desirable design features. Fence shall not be of any type of wood design or chain link.
- c. The Planning Commission will review Architectural Designs for the project at the time of Detailed Application review.
2. Submission, for approval by the Department of Public Works (DPW), of the following detailed plans, studies and computations:
 - a. Detailed Stormwater Management Concept Plan
 - b. Sediment Control Plan
 - c. Public improvements including sanitary sewer, water, storm drain and paving, sidewalks, lighting and street trees
 - d. Private improvements used by the public (alleys, etc.)
 3. Post bonds and obtain permits from City of Rockville DPW.
 4. Post bonds and obtain necessary permits from Maryland State Highway Administration.
 5. Submit for review and approval a Request for Regional Contribution to Stormwater Management Fund for quantity control and partial quality. Request will be presented to Mayor and Council concurrent with PRU.

6. Provide easements to City for all public storm drainage systems and public sanitary sewer systems not in City right-of-way.
7. Forestry credit is not permitted in City utility easement areas.
8. Forest conservation requirements must be met on-site.
9. Individual tree preservation shall occur on-site. Many large, healthy trees of historic age are clustered in one general area, and preservation of these trees is required
10. All afforestation and significant tree replacement must be accomplished on-site.
11. A minimum of .75 acres of preservation of critical root zone area of significant trees must occur on-site, consistent with the Preliminary Forest Conservation Plan (PFCP) dated 2/14/02
12. All residential lots shall contain three trees per lot as required by the Subdivision Ordinance. Required street trees may not be used to meet this requirement.
13. Pedestrian paths within the Critical Root Zones (CRZ) of trees to be saved must be placed above-grade, with minimal grading and compaction. Final location and type of path system to be determined at Detailed Application.
14. Landscaping plans for bioretention must be compatible with attractive streetscaping. HOA documentation will be required to contain information on function of bioretention facilities, standards for maintenance of landscaping and an appropriate species planting list.
15. The Applicant or their representatives shall clearly identify for prospective homeowners sections in the HOA documents that relate to how HOA and City open spaces will be managed.
16. Appropriate signage indicating the nature of open space shall be reviewed as part of the Detailed Application.
17. The ROW shall not include the bioretention areas. In general, the ROW shall be limited to the edge of the sidewalk and one foot behind the curb on the east and west sides of the road, respectively. Appropriate easements shall be implemented for maintenance of public facilities.

SECTION V. PLANNING

Compliance with Master Plan

The Buckingham property is located in Planning Area 4, and therefore is covered by the 1989 *West End-Woodley Gardens East/West Neighborhood Plan*. That Plan recommends that the site “be zoned in a density compatible with the surrounding neighborhood, and that the wooded character of the site be preserved through careful site planning.” However, the Neighborhood Plan did not recommend a map amendment to change the zoning on the site, so the property remained in the R-S Zone. The 1993 *Approved and Adopted Master Plan* for the City reaffirmed the findings and recommendations of the Neighborhood Plan. The City Master Plan recognized the pressure for redevelopment in the West End in general, and stated that the situation must be monitored to ensure that neighborhoods are protected and that the character is preserved.

The Planning Commission draft of the City-wide Master Plan specifically addresses the future use of the property as one of the critical parcels for development within the City. The draft recommends retaining the R-S Zone on the property, and maintains that tree preservation is an important objective for the site. The Draft Plan also recommends the Planned Residential Unit (PRU) special development procedure for the property, if it is combined with the adjacent Baker and Yates properties to achieve the 5-acre minimum site area. The PRU is recommended to utilize only single-family detached units and to exclude C-1 retail uses that could otherwise be permitted within a PRU. It is also recommended that there be no street connection to Brent Road unless there is no other feasible way to gain access to the property.

The Draft Master Plan’s recommendation is intended to achieve the density recommended in previous Master Plans while protecting the trees in a way that cannot be achieved through standard development procedures in the zoning district (R-60) of the adjacent neighborhood.

Staff has compared the lot sizes in the Roxboro and Simmons Addition subdivisions to evaluate whether there is a significant difference between the two neighborhoods. There are 119 single-family detached residential lots in the existing subdivisions with lot sizes ranging from 5,018 s.f. to 14,249 s.f. with an average of 7,633 s.f. The proposed lot sizes for single-family detached lots on the Buckingham property range from 5,844 s.f. to 21,915 s.f. with an average of 8,761 s.f. The average proposed lot on the Buckingham property is 1,129 s.f. (14.8%) larger than in the adjoining neighborhood. In addition, the Buckingham Property also includes the dedication of a 0.78-acre public park where no public parkland was provided during the development of the Roxboro and Simmons Addition subdivisions.

This highlights one of the differences between a PRU and standard single family detached residential zone development. It is clear that development under a single family detached zone standards (R-S with approximately 9-10 units, R-90 with approximately 17 units or R-60 with approximately 24 units) on the property would not meet the goal of the Neighborhood Plan, which recommends careful site design to allow preservation of trees on the site. Even if the lots could be configured to preserve trees on individual lots, there is no guarantee that the trees would be preserved on private property once construction is completed.

Careful site planning, as recommended by the Neighborhood Plan, applies to the entire parcel, rather than just individual lots, and allows for the preservation of trees not on individual lots, but in an open space area that provides for the preservation of a stand of trees. The only alternative to preserve some trees in a single-family detached zone, other than a PRU, would be a cluster development. A cluster development provides for reduced lot sizes to a minimum size, depending on the zone, and providing some common open space, but could not achieve the density recommended in the plan. Staff therefore finds that the application meets the intent of the Master Plan recommendations for the property.

Testimony on the draft Citywide Master Plan included comments and recommendations regarding the Buckingham property. The West End Citizens Association (WECA) submitted testimony and a petition signed by 158 residents opposing the current draft Master Plan recommendation for PRU development (Attachment 7). WECA recommends re-zoning the property to R-60, R-90, R-150, or retaining the existing R-S zoning. They also recommend protecting the “vista” from West Montgomery Avenue, increasing setbacks and increasing on-site parking spaces. There is a concern that there is inadequate on-site parking that will result in Brent Road being used for parking to serve this site. Individual residents have also submitted testimony that is consistent with WECA’s position.

The concerns raised in the testimony focus on important issues about the relationship between the proposed development and the surrounding neighborhood. The common theme among the concerns is compatibility. When used in land use decisions, compatibility does not require that the proposed development be identical to or invisible from existing development. The PRU process is designed to produce development patterns and building types that are different from areas that were developed under standard zoning provisions. The PRU process allows different housing types (single family detached, single family attached, and multi-family), smaller lot sizes, and in some cases commercial development. In order to achieve the overall intent of the PRU process, a creative approach with modifications to the minimum lot size, setbacks, and innovative road designs is essential to preserve natural features and open space. After a review of the proposed development in relationship to the standards of the ordinance, long-standing master plan recommendations, the surrounding neighborhood, and past PRU approvals, staff recommends approval of the application with the conditions noted in this report.

The Applicant submitted testimony in support of the current draft Master Plan’s recommendation as the most effective means of achieving the adopted master Plan’s recommendations (Attachment 8).

Modified Development Standards

Staff recommends several modifications to the proposed development standards. These include distinguishing between the setbacks of the garages and the house structures, as well as no side yard encroachments for HVAC (AC) equipment would potentially mitigate some visual and spatial impacts and perceptions of the reduced setbacks. The differing front setbacks on West Montgomery Avenue have been established by the Applicant in response to the layout of the site as it relates to the design of West Montgomery Avenue adjacent to this site.

SECTION VI. ENVIRONMENT, FOREST CONSERVATION AND PARKS

Existing Site Conditions

The application, in conformance with the City's Environmental Guidelines and Forest and Tree Preservation Ordinance, includes a Natural Resources Inventory/Forest Stand Delineation (NRI/FSD). The referenced property is located in the upper drainage area of the Watts Branch watershed. Significant environmental features on the site consist of a large stand of mature trees recommended to be retained in public parkland that contains approximately 30 individual trees of over 12 inches in diameter plus a number of other smaller trees. Nineteen of these trees measure 30" or more in diameter and a significant number are estimated to be between 150 and 200 years old. This represents a significant natural resource for the City. Most of the trees are in good health and, with adequate protection, are expected to live for many years to come.

The historical drainage pattern in this area has been altered by previous development, and now consists of stormdrain pipes that convey stormflow from the north and along West Montgomery Avenue to an outfall on the northwest portion of this site. An ephemeral channel exists from the stormdrain outfall to the western edge of the site where the channel re-enters the stormdrain network that exists in the Brent Road right-of-way. Overland flowpaths cross the site from adjacent property in generally an east to west direction. No wetlands, stream buffers or 100-yr floodplains exist on this site. The approval of the NRI/FSD by City Staff is pending at this time, and is a condition of approval.

Proposed Application

The application proposes to protect environmental resources, comply with the City's Environmental Guidelines, comply with the Forest and Tree Preservation Ordinance, and provide Stormwater Management requirements through the use of a site design that seeks to accomplish a more desirable environment than would be possible through the strict application of the existing zone or any zones that could achieve the density of recommendations of the Master Plan. The proposed plan meets multiple objectives including:

- Provision of forest conservation requirements on-site through the preservation of the significant tree stand as a public park.
- Innovative use of bioretention facilities to provide water quality treatment and maintain hydrology to support the trees.
- The provision of a significant area of open space. Much of this is accomplished through the use of an innovative street right-of-way (ROW) cross-section that minimizes grading.

The application includes a Preliminary Forest Conservation Plan (PFCP) that proposes to satisfy requirements on-site through the retention of a significant area of the mature trees along with on-site

tree replacement and landscaping. The tree preserve area will be planted with understory tree species to provide a naturalized forest area that will also provide additional screening.

Environmental Staff Comments

This application is consistent with the City's adopted Environmental Guidelines, and meets the requirements of the Forest and Tree Preservation Ordinance. The proposed site design responds effectively to the multiple environmental goals established for the site. The incorporation of bioretention into the site design meets the objectives of treating stormwater runoff quality on-site while protecting the hydrology that supports the mature tree stand. The preservation of these large trees is of importance due to their historic age and the environmental benefits they provide.

Large trees such as these are becoming increasingly rare with the continued development of Rockville, and their large canopies provide significant wildlife habitat as well as providing shade to counteract the heat island effect produced by pavement associated with this development. The retention of these trees also decreases the negative effects of stormwater runoff and helps to provide better air quality, and provides additional open space that will be a significant asset not only to the subject neighborhood, but adjacent neighborhoods as well.

The proposed site design, through the innovative street ROW cross-section, also meets the objective of providing effective stormwater quality control while limiting grading into the tree preservation area for utilities and sidewalks, while providing for adequate parking. The City is committed to local and regional efforts to protect stream quality, and the proposed tree preservation along with the provision of on-site stormwater quality treatment protects the local environment and more effectively treats the runoff leaving the site that ultimately drains to Watts Branch and the Chesapeake Bay. Staff has concluded that the proposed plan provides a better level of environmental protection than would a typical plan using standard lot sizes with no publicly protected forest area. A graphic of the proposed bioretention area is included as Attachment 11.

City Parks

Staff believes that the 0.78 acre public park provided as part of this application will provide a significant amenity for the residents of all adjacent neighborhoods, and provide the highest level protection for the stand of significant trees. The pathway system connecting to Brent Road will provide access for adjoining neighbors, as well as allowing residents of this development to have access to Bullard's Park to the south.

SECTION VII. DEPARTMENT OF PUBLIC WORKS

Stormwater Management

The approved Stormwater Management (SWM) concept plan is consistent with and is based on the latest Maryland Department of the Environment's (MDE) regulations and guidelines as detailed in the 2000 Maryland Stormwater Design Manual. The site is located in the eastern headwaters of the Watts Branch watershed where a majority of the contributory drainage area is developed.

City staff worked closely with the Applicant to design an innovative roadway section that benefited the stormwater management system. A curvilinear road layout created spaces for the bioretention facilities and additional trees, and is based on a prototype model being used in Seattle, Washington. Pavement widths were reduced in some areas to reduce the amount of impervious area. The sidewalk and path network was also configured to reduce the amount of impervious area associated with a more traditional street design.

Water quantity management, such as a stormwater pond, is not feasible for this site due to the existing topography and the proximity to adjacent development. Typically, quantity storage facilities are located at the lowest portion of a site. In this case, the low point is adjacent Lot 16 of the Roxboro subdivision at the end of Brent Road, adjacent to the proposed forest conservation area. Given the proximity to Lot 16 of Roxboro and the current drainage patterns through that lot, a SWM pond is less desirable than improving the drainage pattern by conveying stormwater through a pipe past this lot and into the existing storm drain in Brent Road. In addition, a SWM pond would reduce the number of trees that could be saved on the site, as well as being a safety concern located near a residence.

A request for Regional Participation into the Stormwater Management Fund is being processed to meet water quantity standards. The request will be presented to the Mayor and Council for approval concurrent with this PRU application.

Water quality treatment for this development will be accomplished with bioretention facilities and an underground filtration device. These facilities will be privately maintained by the residential HOA. The bioretention facilities have been incorporated into the curvature of the roadway design and treat almost 60% of the site. The bioretention facilities provide benefits such as increased landscaping, a more naturalized transition from the roadway to the forested open space, the ability to maintain the hydrology of the trees in the open space, and the relative ease of maintenance. Due to the existing topography, approximately one acre of the impervious area cannot be treated. These areas are on the periphery of the site where there is neither adequate space nor adequate grade difference to install water quality facilities without substantial grading, retaining walls, detrimental impacts to existing and adjacent trees, and visual impacts to the adjacent neighborhoods.

A Safe Conveyance study has been submitted and approved. The majority of the drainage from this site enters a storm sewer system located in Brent Road. It then flows along Calvert Road to an outfall at the end of Calvert Road into an unnamed tributary of Watts Branch. A condition of the SWM

Concept approval will require the upgrade of this storm system at the intersection of Brent Road and Aberdeen Road since a short portion of this storm sewer does not have adequate capacity.

Currently there is runoff that is conveyed overland through Lots 2-5 of Roxboro (along Calvert Road). The runoff from the new impervious surfaces created by this development will be safely conveyed through the storm drain system. Therefore there will be no increase in drainage across these lots resulting from this development. The applicant's plan also includes abandonment of the storm drain that passes through Lot 16 of Roxboro, thereby alleviating an existing drainage concern. In addition, the Applicant is also proposing to upgrade a portion of the storm drain in Brent Road, which is currently undersized.

A 100-year Flowpath Analysis has been submitted and approved. A 9.5-acre drainage area flows overland from the East through the Washington Waldorf School (Chestnut Lodge) property. The development's grading has been proposed to allow the 100-year flow from the off-site and on-site areas to pass safely through the site. The flowpath of this storm through this site will not adversely affect the proposed residences or the adjacent neighborhood.

The developer has comprehensively addressed stormwater management and conveyance of storm flows while balancing environmental goals and infrastructure needs.

City Utilities

Adequate City utilities are available for this development. Water supply is available from a six-inch main located in West Montgomery Avenue. The sanitary sewer system will connect to the eight-inch public system located on Brent Road. As mentioned earlier, the storm drain system will connect at the end of Brent Road. The public portions of these proposed systems will be installed by the developer and once accepted will be maintained by the City. The portions of the public system not located in the City right-of-way will be placed in an appropriate utility easement.

SECTION VIII. TRAFFIC AND TRANSPORTATION

Internal Circulation/Roadway Network

The internal roadway network is composed of one Secondary Residential Road, "Street A," and three alleys, named 1, 2, and 3 for the purpose of this report.

Street "A"

This road is proposed to be a two-lane road with parallel and perpendicular parking along the east and west sides of the road, respectively. While all the houses in the development are served by a sidewalk connection, street A only provides a sidewalk along the east side of the road. The proposed right-of-way (ROW) has a variable width to accommodate the abutting bioretention areas but does not include the bioretention areas. In general, the ROW should be limited to the edge of the sidewalk and one foot behind the curb on the east and west sides of the road, respectively. Appropriate easements would need to be implemented for maintenance of public facilities. The typical paving width is 26 feet. This road serves as the access point to the site and connects it to West Montgomery Avenue (MD 28). The appropriate classification for this road would be secondary residential road.

Environmental and tree preservation issues influenced significantly the design of the site. The goal is to preserve the large stand of mature trees, a significant natural resource for the City. To achieve this goal, the reduction of impervious area and implementation of bioretention areas was proposed. As a starting point, the City's Assistant City Forester and Environmental Specialist presented the Street Edge Alternatives project or SEA Streets implemented by the City of Seattle.

Since the standard cross section for a secondary residential road did not accommodate the bioretention, it had to be modified. The main modification consists of a reduced variable ROW width that meanders with the edge of the road. Also, the crown design is modified by sloping the entire road towards the bioretention areas. These modifications do not have an adverse impact on traffic. To handle the water flow into the bioretention areas, it was suggested that the typical cross section of a secondary residential road be modified to an open cross section (i.e., no curb and gutter), as it is designed for the SEA streets of Seattle. After careful consideration, it was determined that curb and gutter, with appropriate openings to accommodate the water flow, would better serve the site.

From a transportation perspective, the reduction of impervious area requires the following:

1. Alternative treatment to the end of street A instead of the typical cul-de-sac: The City's design standards for a cul-de-sac are shown on Detail No. 46 of the Standards and Details for Construction. This standard is mainly designed to allow passenger vehicles to make a U-turn (i.e., turn without performing a backing maneuver) and single-unit trucks turn around by backing only once. While a cul-de-sac is not provided at end of the public ROW of street A, both of the turn around objectives for passenger and single-unit truck vehicles are met.

The end of street A connects with two alleys (alleys 1 and 2). The street-end treatment allows for a single-unit truck to make a turn backing only once, by using small sections of the alleys. Alley

No.1 connects with street A at two points creating a “street/alley loop.” Passenger vehicles and single-unit trucks could use the street/alley loop to avoid the three-point turn.

2. Elimination of sidewalk along one side of street A: Of the ten houses abutting street A, six front on street A. Two houses front MD 28 and the other two front the proposed park area. There are a total of four houses fronting the park. They are served by the two asphalt paths that connect Brent Road and Street A. Due to the configuration of the houses on the site, it was possible to serve all the houses with a sidewalk connection while only providing a sidewalk along the east side.
3. Reduction of pavement width along street A: The road provides the minimum standard width of 26 feet. Minor modifications have been made to better serve the particular needs of the site. These modifications include providing parallel parking along the east side only, providing perpendicular parking along the other side, and removing any excess paved area. These modifications improve circulation, parking supply, parking restriction enforcement, and emergency vehicle access.

The typical 26-ft secondary residential street configuration allows parallel parking on both sides of the road. A typical 550-ft. long street with a cul-de-sac would provide approximately 18-20 on-street parking spaces after taking into consideration the “No Parking” areas created for driveways, near intersections, fire hydrants, etc. This configuration could allow sections where two vehicles are parked side by side (i.e., one on each side of the road) leaving only a 10-ft. roadway width for two-way traffic.

The modified configuration would provide an 18-ft. roadway width for two-way traffic at all times while providing for 20 on-street parking spaces. In addition, the site also provides approximately 16 off-street parking spaces in excess of minimum requirements as established by the City’s regulations for off-street parking spaces.

Private Alleys

The site is proposed with three alleys. The ROW widths range from 18 to 24 feet. The pavement width is 16 feet for all three. As described above, alley No.1 connects with street A at two points creating a “street/alley loop.” This alley serves nine houses. Alleys No. 2 and 3 connect with street A at one point and dead-end at the other end. They serve four houses each. In accordance with the City’s subdivision regulations, dead-end alleys are discouraged. Due to the locations, orientation and the number of houses that alleys No. 2 and 3 serve, the alley functions are closer to that of a shared driveway than a typical alley. Road Code waivers may be granted without an adverse impact on vehicular circulation.

All Streets

The applicant seeks approval of Road Code waivers for each proposed street section not conforming to the current Road Code design requirements as part of the Mayor and Council’s Planned Unit Development approval. Road Code waivers are not being sought for roadway structural standards. The applicant intends to construct all streets in full conformity with the appropriate construction standards for each particular roadway class. Staff supports the requested waivers.

Site Access

Vehicular Access: The Buckingham property is located along West Montgomery Avenue (MD 28). The site would produce approximately 22 and 19 vehicular trips during the morning and afternoon peak hours respectively. Street A would adequately serve the site as the only access point. Due the characteristics of the site and the surrounding area, this access point should be controlled by a stop sign regulating the Street A approach. It should be noted that the site currently has two access points from West Montgomery Avenue. This proposal includes only one site access point, creating a more desirable condition. The proposed intersection of street A and West Montgomery Avenue is estimated to operate at acceptable levels of service as defined by the Standard Traffic Methodology, but the afternoon's peak period is projected to operate at the threshold set for the Standard Traffic Methodology. This development will have a negligible effect on congestion levels, and that the intersections.

Traffic congestion on West Montgomery Avenue affects the ability for residents to exit their neighborhoods. Given the site's location, safe ingress/egress movements should be accommodated by vehicular gaps created by the traffic signal control near the site at the intersection of Laird Street and West Montgomery Avenue. However, left turns out of the site may be difficult during peak periods. It has been the policy of the City to not expand road capacity on West Montgomery Avenue in order to protect neighborhood character. In addition, refuse pickup by the City will occur on the public street in front or sides of houses.

Pedestrian/bicycle access: The site provides two pedestrian access points with adequate facilities. These access points would connect the site with West Montgomery Avenue and Brent Road. Adequate pedestrian crossing of West Montgomery Avenue is provided near the site at the intersection of Laird Avenue and West Montgomery Avenue. This intersection includes pedestrian phases and signal heads with the traffic signal control.

Transit access: The site is within walking distance to bus stops along West Montgomery Avenue. The bus stops will be accessible through the sidewalk network.

Traffic Impact Analysis

Based on trip generation rates developed by the Institute of Transportation Engineers and a net increase of 14 new dwelling units, the proposed development produces 22 and 19 new vehicular trips in the morning and afternoon peak hours, respectively. The Standard Traffic Methodology states that a traffic impact study is required when the proposed development generates 100 or more trips during the morning or afternoon peak hour. The proposed development would generate less than the 100 trips threshold established under the City of Rockville's Standard Traffic Methodology; therefore, a traffic impact study has not been required with the submission of this application. The following table summarizes the net increase in trips generated by the proposed development:

PEAK HOUR	TRIPS		
	INBOUND	OUTBOUND	TOTAL
AM	5	17	22
PM	12	7	19

Based on traffic generated by the Buckingham Property development and available data for the surrounding roadway network, the Transportation Division assesses that the proposed development will not overburden existing public roads. Furthermore, it is anticipated that this development would not have a significant and notable impact as defined by the Standard Traffic Methodology at any of the surrounding intersections. If required, further assessments of transportation operational issues (site distance, bus shelter locations, etc.) could be conducted at the detail application stage for the development of the site.

SECTION X. PUBLIC NOTIFICATION, COMMENTS AND CONCLUSION

Staff has received a number of comments and a petition as part of the review of the PRU application and the City-wide Master Plan. These comments are attached. The basic issues that were raised include requests for lower density, larger setbacks, larger minimum lot sizes, tree protection on private lots versus public park and HOA property, adequacy of schools and roads, adequacy on-street parking, eligibility for the PRU process, and compatibility with the surrounding neighborhood.

Density, setbacks and lot sizes

In discussing the issue of density with concerned residents it became clear that there were a number of related issues that affect how the density is perceived. These include the number, height, width, lot coverage and setback of proposed homes. The number of houses proposed is five fewer than permitted for a PRU with the underlying R-S zoning and is 7 fewer than could potentially occur under R-60 development. In addition, the proposed density is lower than the Roxboro neighborhood even though the lot sizes are sometimes smaller. The setbacks, lot coverage, and the overall size of the proposed houses result in greater building volume, which may give the appearance of greater density. The proposed setbacks are smaller than those permitted in the surrounding R-60 zone. The PRU process is designed to achieve the trade-off of more publicly accessible open space and the preservation of environmental features in exchange for more limited open space on private properties. Unlike some other PRUs, this project is able to provide the park and HOA-controlled open space in a location that directly benefits the adjoining neighbors while preserving a significant number of trees. In addition, this application proposes a reduction in the maximum height permitted from 40 feet to 35 feet consistent with the maximum height permitted in the Roxboro neighborhood and in the West End.

There have been suggestions that the property should be developed in the R-S zone (20,000 square foot minimum lot size) with 9 or 10 lots or the R-90 zone (9,000 s.f. minimum lot size). Requiring development of the property under R-S zone standards is not consistent with the master plan recommendations for the property to be developed at a density similar to the surrounding neighborhood. The R-90 zone would result in a similar number of houses (approximately 17 houses) with larger setbacks than proposed. Development using the standards of both zones would preclude the protection of the large stand of mature trees on public property. The recommendation to protect the trees on private lots through HOA controls, does not result in protecting the largest and healthiest trees since they are in the interior of the site where houses would be built and results in fragmented critical root zones. In addition, it would place significant restrictions on the use of private property. Staff has found that this approach does not provide adequate protection and requires significant staff resources to enforce.

Park and tree protection

The proposed public park has evolved during the review process and has expanded from approximately 0.5-acres to 0.78-acres and now includes more significant trees (over 12 inches in diameter) and additional trees that are less than 12 inches in diameter than were mentioned in citizen comments. The City has a strong tradition of local parks in neighborhoods. These parks add tremendous value to neighborhood life as well as preserving significant mature trees. In addition to

the existing trees, shade tolerant trees will be planted in the park to meet reforestation requirements, and provide additional screening.

School capacity

The Richard Montgomery Cluster, while crowded, does not exceed County standards. Only the Damascus High School cluster exceeds County standards. The number of public school students will be low and comparable to development that does not use the PRU process.

Traffic capacity

Traffic congestion on West Montgomery Avenue is acknowledged as are the difficulties faced by residents of surrounding neighborhoods in leaving their neighborhoods. The net increase of 14 homes on traffic will be minimal and comparable to development that does not use the PRU process. The proximity of the proposed road to Laird Street will allow residents of the proposed neighborhood to enter West Montgomery Avenue more easily than from existing streets that are farther away from the traffic signal.

On-street parking

During the initial review of the proposed road, strong neighborhood concerns were raised about the lack of on-street parking that would encourage people to park on Brent Road and use the path to access homes on the Buckingham Property. Citizens, staff and the applicant agreed that although the proposal met legal minimums, there was a practical need for on-street parking to accommodate visitors and families with more than 2 cars. The plan was modified to provide at least the same number of on-street parking spaces as if a standard cul-de-sac were proposed.

Eligibility for PRU process

In addition to the issues discussed above, staff also heard concerns about whether the proposal meets the requirements for the minimum five-acre tract requirement for a PRU. The zoning ordinance defines tract as “an area of land with definite or ascertainable boundaries.” This is different from the definition of “lot” which refers to a single record lot. It is common for properties to be assembled, whether under one or multiple owners, during the development process.

Conclusion

The concerns raised in the testimony focus on important issues about the relationship between the proposed development and the surrounding neighborhood. The common theme among the concerns is compatibility. When used in land use decisions, compatibility does not require that the proposed development be identical to or invisible from existing development. The PRU process is designed to produce development patterns and building types that are different from areas that were developed under standard zoning provisions. The PRU process allows different housing types (single family detached, single family attached, and multi-family), smaller lot sizes, and in some cases commercial development. In order to achieve the overall intent of the PRU process, a creative approach with modifications to the minimum lot size, setbacks, and innovative road designs is essential to preserve natural features and open space. After a review of the proposed development in relationship to the standards of the ordinance, long-standing master plan recommendations, the surrounding

neighborhood, and past PRU approvals, staff recommends approval of the application with the conditions noted in this report.

List of Attachments:

1. Application
2. Site Plan
3. Forest Conservation Plan
4. PRU and CPD Single Family Development Standards
5. Development Standards for Residential Zones
6. Distances Between Roxboro Homes and Proposed Lots
7. West End Citizen's Association (WECA) Master Plan Position and Petition
8. Applicant Statement on Master Plan
9. WECA Master Plan Comments of 1/22/02
10. WECA Master Plan Comments of July 2001
11. Bioretention landscaping
12. Public Hearing Excerpts on Master Plan
13. Public Comments on Proposal